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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,278	Osamu Funahashi	20060160A

INTERNATIONAL APPLICATION NO.

PCT/JP05/14069

I.A. FILING DATE	PRIORITY DATE
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08/02/2005

08/27/2004

52349

WENDEROTH, LIND & PONACK L.L.P.
 2033 K. STREET, NW
 SUITE 800
 WASHINGTON, DC 20006

CONFIRMATION NO. 3294

371 FORMALITIES LETTER



OC000000020383662

Date Mailed: 09/12/2006

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/15/2006
- English Translation of the IA filed on 02/15/2006
- Copy of the International Search Report filed on 02/15/2006
- Preliminary Amendments filed on 02/15/2006
- Information Disclosure Statements filed on 02/15/2006
- Oath or Declaration filed on 02/15/2006
- Request for Immediate Examination filed on 02/15/2006
- Copy of references cited in ISR filed on 02/15/2006
- Priority Documents filed on 02/15/2006

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 SEP 14 2006
 WENDEROTH, LIND & PONACK

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$730** for a Large Entity:

- **\$130 Surcharge.**
- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

- The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,278	PCT/JP05/14069	20060160A



THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

IAP13 Rec'd PCT/PTO 02 OCT 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Osamu FUNAHASHI : **Confirmation No. 3294**
Serial No. 10/568,278 : **Mail Stop: MISSING PARTS**
Filed February 15, 2006 : Attorney Docket No. 2006_0160A

SPEAKER
[Corresponding to PCT/JP2005/014069
Filed August 2, 2005]

RESPONSE TO NOTIFICATION OF INSUFFICIENT FEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notification of Insufficient Fees was mailed by the U.S. PTO on September 12, 2006, and indicated that the search fee (\$400.00) and the examination fee (\$200.00) were not paid upon entry into the U.S. National Stage on February 15, 2006. Accordingly, the Notification required submission of these fees, together with a \$130.00 PTO surcharge.

However, the Notification is incorrect. As indicated on page 2 of the "Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. §371", the U.S. National Stage entry was accompanied by a check in the amount of \$900.00, to cover the basis national stage fee (\$300.00), the national stage search fee (\$400.00) and the national stage examination fee (\$200.00).

As evidence that the U.S. PTO in fact received the \$900.00 fee, including the search and examination fees, a copy of a PTO-stamped postal receipt card is enclosed. The PTO date-

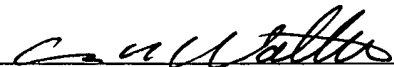
stamped postal receipt card shows that the U.S. PTO in fact received the \$900.00 on February 15, 2006. Further, a copy of the cancelled check is also enclosed.

Thus, contrary to the Notification of Insufficient Fees, the papers filed on February 15, 2006 to enter into the U.S. national stage were properly accompanied by the basic national stage fee, the national stage search fee and the national stage examination fee, totaling \$900.00. As such, no further fees are justified, and it is respectfully requested that the U.S. PTO formally withdraw the Notification of Insufficient Fees mailed September 12, 2006.

However, in the event any fees are deemed necessary, the U.S. PTO is authorized to charge Deposit Account 23-0975.

Respectfully submitted,

Osamu FUNAHASHI

By: 

Charles R. Watts

Registration No. 33,142

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October 2, 2006

10/568278

ATTY DOCKET #: 2006_0160A

OUR REF: 2006_0160A/CRW/00169

Applicant: Osamu FUNAHASHI

Serial No.: NEW

Title: SPEAKER

Due Date: March 10, 2006

Filing Date: February 15, 2006

Receipt of the following papers is acknowledged:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371 (National stage application of PCT/JP2005/014069)
2. Attachments: (A) PCT application (as filed) including cover page (3 pages), specification, claims and abstract (10 pages) and drawings (4 pages); (B) English Translation of PCT Application including specification, claims and abstract (14 pages) and 6 pages of drawings (A4P, Figs. 1-8); (C) executed Declaration and Power of Attorney with cover letter; (D) Information Disclosure Statement with Form PTO-1449, International Search Report and four references; (E) Preliminary Amendment including replacement formal drawings (Figs. 4-8); (F) Form PCT/IB/304
3. Check in the amount of \$900.00

AP3-Rec'd PCT/PTO 15 FEB 2006

Date February 15, 2006

Attorney CRW/asd [Check No. 72578]

72578

WENDEROTH, LIND & PONACK, L.L.P.

PATENT ATTORNEYS
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WASHINGTON, D.C. 20006

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FUNAHASHI

NEW 0169

New PCT Appl.

2006_0160A CRW

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MEMO

Michael R. Davis
AUTHORIZED SIGNATURE

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Details on back. Security Features included.

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